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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

DANIEL LOPEZ-CAJAS,)	2:20-cv-2115-RFB-EJY
)	
Plaintiff,)	STIPULATION AND ORDER
v.)	FOR REMAND TO AGENCY
)	
WILLIAM BARR, Attorney General, et al.)	
)	
Defendants.)	
)	

It is hereby agreed and stipulated by all parties, through their respective counsel, that this action be REMANDED to U.S. Citizenship and Immigration Services ("USCIS"), based on the following:

1. This is an action for judicial review of plaintiff's application for naturalization (Form N-400), which was denied by immigration officials by decision dated June 7, 2016. A copy of the June 7, 2016, decision denying plaintiff's N-400 application for naturalization is attached to the complaint as Exhibit 1.

2. It is defendants' position that the Court lacks subject matter jurisdiction to adjudicate plaintiff's claims on the grounds that plaintiff failed to exhaust administrative remedies by failing to submit a Form N-336 Request for Review and obtain a decision thereon.

1 3. Following dismissal of this civil action, the appropriate immigration officials within
2 the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS),
3 will effectuate a motion to reopen plaintiff's N-400 application for naturalization and will
4 proceed with an adjudication of the N-400 application without effect being given to the
5 adjudicative conclusions reflected in the June 7, 2016, decision referenced above.
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7 4. The parties shall bear their own costs and expenses of this litigation, including
8 attorneys' fees.

9 5. That the Court will retain jurisdiction to enforce the terms of this agreement and any
10 disputes that arise thereunder.
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13 /s/ Brian J. Ramsey
14 BRIAN J. RAMSEY
15 Counsel for Plaintiff

/s/ Greg Addington
GREG ADDINGTON
Counsel for Federal Defendants

16 Based on the foregoing, this action is REMANDED to USCIS, each party to bear
17 their own costs and expenses of litigation.

18 IT IS SO ORDERED:

19 Date: January 13, 2021
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22 RICHARD F. BOULWARE, II
23 United States District Judge
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